

ARTICLE APPEARED
ON PAGE 18

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Turner Role Urged In Riha-CIA Case

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A federal judge in Denver recommended Monday that Adm. Stansfield Turner, director of the Central Intelligence Agency, be asked to help resolve the battle for disclosure of CIA information on the disappearance of and whereabouts of Prof. Thomas Riha.

U. S. Dist. Judge Richard P. Matsch made the recommendation at the conclusion of an hour long hearing in U.S. District Court in Denver.

At that hearing, counsel for the CIA maintained that the agency has responded adequately to the Riha estate's request for CIA information on the University of Colorado professor, who has been missing for almost 6½ years.

IN REBUTTAL, Martin D. Buckley, attorney for Riha's estate, told the court that the CIA had deleted much information from the Riha documents and had withheld other documents entirely. Buckley challenged the CIA's claim that disclosure of the withheld information would jeopardize national security or national defense.

The estate, Buckley said, has no way of knowing whether it has received all the CIA records and reports on Riha. And it also isn't known, Buckley added, whether the documents received by the estate are credible, particularly the document relating to a reported sighting of Riha in Czechoslovakia in late 1973.

After hearing presentations by Buckley and Paul Figley, a U. S. Justice Department attorney representing the CIA, Matsch denied the CIA's motion for a summary judgment.

SUCH A JUDGMENT would have indicated that the CIA had responded adequately to the Riha estate and that affidavits of CIA officials provided adequate justifications for the CIA's withholding of certain Riha information from the estate.

Buckley and Zdenek Cerveny of Boulder, Riha's nephew and conservator of his estate, "have some basis for questioning the good faith" of the CIA, Matsch said.

Matsch recommended that Figley contact Turner and ask him to review the CIA's files on Riha and provide the court within 60 days with "direct certification of what is in the files and what (full) disclosure would mean," in relation to the national security and national defense.

TURNER ALSO should be asked to rate the credibility of the Riha information in the CIA files, particularly the information relating to the reported sighting of Riha in Czechoslovakia, Matsch said.

Matsch indicated that he would be inclined to accept Turner's conclusions since President Carter has given Turner a mandate to "open the CIA" and chart new directions for the agency.

Earlier in the hearing, Matsch described Riha's unsolved disappearance as "an extraordinary situation" because of the volume of comment on the whole matter in the local press and the testimony of two persons who told the Senate Select Committee on Intelligence that Riha had been sighted in Czechoslovakia.

MATSCH ALSO NOTED that the Riha case caused a breach of liaison in 1970 between the CIA and the FBI and that a U.S. Senator—Gary Hart, D-Colo.—has publicly stated that Riha apparently is alive on the basis of information provided to him by the CIA.

If Turner declines to review the CIA's files on Riha, Matsch said, the attorney for Riha's estate should examine the CIA officials who provided the affidavits justifying the CIA's withholding of certain information.